

WHITELAND TOWN COUNCIL
November 29, 2021
Special Meeting

<u>Council members present</u>		<u>Other Town Officials</u>		<u>Other Town Officials</u>	
Joe Sayler		Kevin McGinnis		Stephen Watson	
President	<u> X </u>	Town Manager	<u> X </u>	Town Attorney	<u> X </u>
Richard Hill		Debra L. Hendrickson		Jessie Boshell	
Member	<u> X </u>	Clerk Treasurer	<u> X </u>	Senior Planning Dir.	<u> </u>
Laura Fleury		Rick Shipp		Shaun Young	
Vice President	<u> X </u>	Town Marshal	<u> X </u>	Public Works Sup.	<u> </u>
Brad Goedeker		Eric Funkhouser			
Member	<u> X </u>	Fire Chief	<u> </u>		<u> </u>
David Hawkins					
Member	<u> X </u>				

Pledge of Allegiance

Invocation

Call to order

- J. Sayler called the meeting to order at 7:15 pm

Roll Call – All Present

Adoption of the Order of Business

Request of Pre-payment for Springhill Subdivision Construction and Extension of Time

- K. McGinnis stated the road construction for the Community Crossing Grant has under gone unforeseen weather conditions with rain. What is left to do is sidewalk tear out and repour, top layer of asphalt, stop bar for the stop signs. The sidewalks they can continue to tear out, but the asphalt cannot be installed unless the temperature is at 60 degrees or higher.
- The first request is for the draw. The second set of documents shows the figures of what was spent. The draw requested for work completed comes to \$631,874.47.
- L. Fleury inquired if it would start around April. That is the intention stated K. McGinnis.
- J. Sayler inquired if the items completed were inspected by the Town. K. McGinnis stated yes.
- Dave Bradford, representative of Wallace Construction stated they owe for the curb cutting, concrete suppliers and stone suppliers. The amount requested tonight is all going out to pay vendor invoices. Wallace is hoping all sidewalks will be done by the time the asphalt can be completed.
- J. Sayler stated understands the aspects the weather was not any fault of the contractor, thus feels more like 50% of the original contract could be due for payment.
- S. Watson stated legally the Town does not have to pay anything since the contract states a lump sum payment at the end of the project.

- R. Hill
 - Inquired if Wallace Construction has a line of credit for such situations? Yes. Wallace has not paid the asphalt invoice or the concrete invoice. It has been paid out of the pocket of Wallace.
 - Was there proof rolling done with documentation and pictures? K. McGinnis stated, there were some areas that did not pass so they were dug and ran again.
 - Was there any documentation completed since there was areas that failed? K. McGinnis stated there were none turned in and does not know. There is a bond.
 - Dave B. stated it would show in the spring if it fails again. There will be evidence.
 - When does the maintenance bond start? K. McGinnis stated it starts from the time of acceptance to three years out. The clock does not start until the project is completed. There will be another proof roll done before the last layer of asphalt is laid.
 - Are we going to allow residents in the audience to speak? J. Sayler stated if it okay with the majority of the Council.
- Russell Snyder - 190 Margate and 120 West St.,
 - Witnessed the roller rolling out deep ruts after laying a binder down on Margate. It had to be smoothed out.
- Scot Ford – 17 Hillside Court
 - Inquired what was the other bids compared to the \$1.2 million. Not known at this time.
 - Is the Town’s insurance company paying for any tort claims so far? None that is known. But if there were any claims received, they were turned over to Wallace Construction.
 - Is the change order the only payment Wallace Construction has received so far? Yes.
- Thomas Carroll – 199 Briarhill Drive
 - Presented copies of pictures that show areas where there is no gravel on top of the concrete. As the asphalt truck goes over the street you will see it pump.
 - Across the street there is 50% gravel and 50% dirt. According to the Town Manager that all of that was tore up and done.
 - K. McGinnis states the pumping will be exposed and a proof roll will be completed. The saving grace is whatever conditions it will come to fruition and from the date it is accepted we are covered for three years at Wallace’ expense.
- B. Goedeker stated his concern is about a very significant delay. Would like to work with Wallace Construction and have a good rapport with future contractors. Concerned if was there a corner that was cut for completion. Take the residents address and double check at the completion of the project.
- D. Hawkins
 - Inquired if Wallace had broken concrete that is shifting then why not remove it. Dave Bradford reported the original job was bid to mill off and come back and pave. Not aware of any moving or shifting concrete. Wallace is a 45-year-old company and has been in the community for a long time.
 - Would like to have a promise to check out the chunks of concrete and remove them. The request will go to Wallace.
- B. Goedeker made a motion to pay all of the funds requested and would like the Town to be a good partner to work with. L. Fleury seconded the motion.
 - R. Hill stated his concern about the condition in front of Mr. Carroll’s house and would like to see a little less than the requested amount. D. Hawkins agreed.
 - B. Goedeker replies he agrees with the Town Manager about the procedure to take care of it if and when it happens. D. Hawkins would to agree to \$345,000.
 - J. Sayler would like to state he has confidence in the Towns employees.

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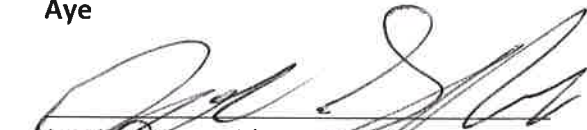
Failed 2-3. Hawkins, Hill, Fleury voting no.

- J. Sayler stated he would like to pay 50% at \$493,000
- L. Fleury would like to make a motion of \$490,000. No second. Motion failed.
- D. Hawkins made a motion of \$345,000. No second. Motion failed.
- B. Goedeker made a motion of lesser amount \$600,000, holding the remainder as retainer. L. Fleury seconded the motion.
Passed 3-2, for a progress payment. R. Hill and D. Hawkins voting no.
- B. Goedeker made a motion to approve Change Order #2 progress payment in accordance with the original contract. L. Fleury seconded the motion.
Passed 3-2 R. Hill and D. Hawkins voting no.
- B. Goedeker made a motion to approve Change Order #3 to extend the contract deadline due to inclement weather to able to be complete as previously discussed of 60-degree weather. L. Fleury seconded the motion.
Passed 5-0

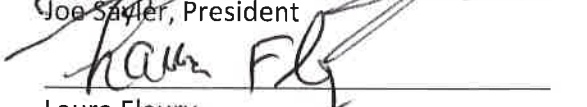
Meeting adjourned at 8:25 pm.

Passed by the Whiteland Town Council on this day 11th of January, 2022


Aye



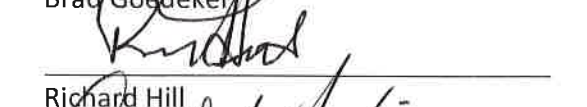
Joe Sayler, President




Laura Fleury



Brad Goedeker



Richard Hill



David Hawkins

Nay

Joe Sayler, President

Laura Fleury

Brad Goedeker

Richard Hill

David Hawkins

Attest:



Debra L. Hendrickson, Clerk Treasurer

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